

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

| | |
|---|---|
| UNITED STATES OF AMERICA, Plaintiff, vs. VICTOR MANUEL PARTIDA-OJEDA, a/k/a MANUEL GUTIERREZ-MORALES, Defendant. | Case No. 3:22-cr-184 MOTION FOR CONTINUANCE OF SENTENCING HEARING |
|---|---|

Defendant Victor Partida-Ojeda, through his attorney, hereby moves this Court, pursuant to Rule 47 of the Federal Rules of Criminal Procedure, for a continuance of the sentencing hearing of the Defendant presently scheduled for Monday, June 10, at 10:30 a.m. Trial of the remaining co-defendants in the case was recently continued and is now scheduled to commence on December 10, 2024. The trial set for four weeks.

Resolution of the issues against the remaining co-defendants may impact sentencing in this case. Therefore, the Defendant requests the sentencing hearing noted above be continued to a date subsequent to trial of the remaining defendants. Although the Defendant is currently detained, it is anticipated by the parties that any sentence imposed will exceed the time caused by delay of this sentencing hearing. Moreover, the Defendant is subject to an immigration detainer, and would likely not be eligible for release at this time, regardless of the delay in his sentencing.

The United States does not oppose this motion, as represented by Assistant United States Attorney Alex Stock.

Dated this 5th day of June, 2024.

McGEE, HANKLA, & BACKES, P.C.

BY: /s/ Erich M. Grant

Erich M. Grant (ND ID# 07593)

E-mail: egrant@mcgeelaw.com

2400 E. Burdick Expwy., Ste. 100

PO Box 998

Minot, North Dakota 58702-0998

(701) 852-2544

Attorneys for the Defendant